AFFIDAVIT OF SERVICE

State of New York	County of Eastern
Index Number: 1:22-CV-1032 (PKC) (JRC) Date Filed:	
Plaintiff: IME Watchdog, Inc.	
VS.	
Defendant: Gelardi, et al.	
For: Milman Labuda Law Group PLLC 3000 Marcus Avenue Suite 3W8 Lake Success, NY 11042	
PT 1	

Received by Nicoletti & Harris to be served on Fari Gutierrez, 8117 102nd Avenue, Apartment 1, Ozone Park, NY 11416.

I, Alan Feldman, being duly sworn, depose and say that on the 27th day of April, 2023 at 1:06 pm, I:

INDIVIDUALLY/PERSONALLY served by delivering a true copy of the Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action and a witness fee check in the amount of \$40.00 with the date and hour of service endorsed thereon by me, to: Fari Gutierrez at the address of: 8117 102nd Avenue, Apartment 1, Ozone Park, NY 11416, and informed said person of the contents therein, in compliance with state statutes.

Military Status: Based upon inquiry of party served, Defendant is not in the military service of the United States of America.

Description of Person Served: Age: 30, Sex: M, Race/Skin Color: Tan, Height: 5'9", Weight: 170, Hair: Black, Glasses: N

I certify that I am over the age of 18 and have no interest in the above action.

STATE OF New York)
COUNTY OF New York)

Subscribed and Sworn to before me on the 28th day of April 2023 by the affiant who is personally known to me.

Ana E. Sanchez Notary Public State of New York

Bronx County

Lic No. 01SA5067260

Commission Expires: October 15, 2026

Alan Feldman 2058467

Nicoletti & Harris 101 Avenue of the Americas 9th floor New York, NY 10013 (212) 267-6448

Our Job Serial Number: NHI-2023006942

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United States District Court

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

	UNITED STATES DISTRICT COURT				
		for the			
		Eastern District of New York			
	AT A	ot al.) SUBPOENA TO APPEAR HEARING OR TRIAL IN	AND TESTIFY N A CIVIL ACTI	1:22-cv-1032 (PKC) (JRC) ON	
To: Fari Gutieri	rez, 8117 102nd Avent	ie, Apartment 1, Ozone Park	k, NY 11416		
		(Name of person to whom this	subpoena is directed)		
	aring or trial in this civ			e time, date, and place set forth below at the court until the judge or a court	
	tates District Court for	the Eastern District of	Courtroom No.:	4F North	
New Yor 225 Cad	rk Iman Plaza East, Brool	klyn, NY 11201-1804	Date and Time: (05/04/2023 12:00 pm	
not applicable): a a	Il communications by to nd any agent of IME C	ext, email, or otherwise with ompanions LLC, as well as a	Defendants Safa A	I information, or objects (leave blank if Abdulrahman Gelardi, Vito Gelardi, ved by Defendants.	
Rule 45(d), rela	ting to your protection	as a person subject to a subpatial consequences of not do	poena; and Rule 4:	5(e) and (g), relating to your duty to	
Date: 04/26/	2023CLERK OF	COURT	OR		
	Signa	ture of Clerk or Deputy Clerk		Attorney's signature	
The name, addr	ess, e-mail address, an	d telephone number of the at	torney representin	ig (name of party) IME WatchDog, Inc.	
			equests this subpo		
	Law Group PLLC, Em nanuel@mllaborlaw.co	anuel Kataev, Esq., 3000 M	155 		

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpocna to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this	subpoena for (name of individual and title,	if any)						
on (date)	<u></u> .							
☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:							
	on (date) ; or							
☐ I returned the	☐ I returned the subpoena unexecuted because:							
tendered to the	Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of							
	for travel and \$	for services, for a total of \$	0,00					
I declare under	penalty of perjury that this information	on is true.						
Date:		Server's signature						
		Printed name and title						
A 1314:1 :		Server's address						
Additional information	regarding attempted service, etc.:							

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

IME WatchDog, Inc.	
Plaintiff v. Safa Abdulrahim Gelardi, et al. Defendant) Civil Action No. 1:22-cv-1032 (PKC) (JRC)))
	IENTS, INFORMATION, OR OBJECTS OF PREMISES IN A CIVIL ACTION
70	ri Gutierrez Apt 1, Ozone Park, NY 11416
(Name of person to v	vhom this subpoena is directed)
Production: YOU ARE COMMANDED to production documents, electronically stored information, or objects, and material: See Addendum A	ace at the time, date, and place set forth below the following and to permit inspection, copying, testing, or sampling of the
Place: Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success, N 11042	Date and Time: 05/12/2024 at 5:00 PM
	ED to permit entry onto the designated premises, land, or late, and location set forth below, so that the requesting party the property or any designated object or operation on it.
Place:	Date and Time:
	attached – Rule 45(c), relating to the place of compliance; to a subpoena; and Rule 45(e) and (g), relating to your duty to f not doing so.
Date:04/22/2024	OR A
Signature of Clerk or Deputy C	lerk Attorney's signature
The name, address, e-mail address, and telephone number	of the attorney representing (name of party) IME WatchDog, Inc., who issues or requests this subpoena, are:
Jamie Felsen, Esq., 3000 Marcus Ave., Ste. 3W8, Lake Su	uccess, NY 11042; jamie@mllaborlaw.com; (516) 303-1391

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Safa Gelardi, and/or Vito Gelardi, and/or Jeff Beiben to info@imecompanions, reports@imecompanions.com, sgelardi@imecompanions.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 2. All communications, including but not limited to, text messages and emails, between you on the one hand, and Eugene Liddie, and/or Jeff Beiben to info@imelegalreps.com, reports@imelegalreps.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 3. All communications, including but not limited to, text messages and emails, between you on the one hand, and any agent of IME Legal Reps, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 4. All communications, including but not limited to, text messages and emails, between you on the one hand, and any agent of Client Exam Services, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 5. A list identifying all IMEs you have attended since March 10, 2023, including the identity of the plaintiff's law firm on whose behalf you attended.

MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Fari Gutierrez 8117 102nd Avenue, Apt 1, Ozone Park, NY 11416

Re: IME WatchDog, Inc. v. Gelardi, et al. Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Mr. Gutierrez:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

THIS LETTER SHALL SERVE AS NOTICE THAT YOU ARE REQUIRED TO PRESERVE A COPY OF THE FOLLOWING DOCUMENTS:

- 1. All documents and communications, including but not limited to, text messages, emails, and voicemails, related to services you performed for any entity related to observing independent medical examinations between March 1, 2023 and the present. This includes, but is not limited to, the following:
 - a) All notes taken by you during each medical examination at which you appeared;
 - b) All texts and e-mails between yourself and any person, law firm, attorney, employee or agent of any law firm or attorney, entity and/or representative of any entity, or anyone else related to each medical examination at which you appeared:
 - c) All bills and/or invoices related to each medical examination at which you appeared;
 - d) All documents created by you or on your behalf, including drafts, addendums, and final reports related to each medical examination at which you appeared;

YOUR FAILURE TO PRESERVE THE ABOVE DOCUMENTS MAY LEAD TO SUBSTANTIAL SANCTIONS ISSUED BY A JUDGE FOR YOUR DESTRUCTION OF SAME

Please note that if we suspect you have destroyed evidence, we will request that the judge direct a forensic analysis of your electronic devices, computers, and emails. The judge in this case previously directed a forensic analysis of the defendants' devices. We trust that you will heed this warning and take it seriously to avoid the necessity of court intervention.

Thank you for your attention to this matter and for your anticipated cooperation.

Very Truly Yours,

/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

1 (date)	· .		
☐ I served the sul	opoena by delivering a copy to the na	med person as follows:	
		on (date) ;	or
☐ I returned the s	ubpoena unexecuted because:		
	tness the fees for one day's attendanc	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
y fees are \$		for services, for a total of \$	0.00
I declare under pe	nalty of perjury that this information	is true.	
te:		Server's signature	
		20, 10, 23,8,1,10,1,0	
		Printed name and title	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
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- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
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- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
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- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
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- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information, or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
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- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

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AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

	United States District Court				
		for the			
		Eastern District of New York			
	AT A		AND TESTIFY N A CIVIL ACTI	1:22-cv-1032 (PKC) (JRC) ON	
		(Name of person to whom this	s subpoena is directed)		
to testify at a ho	YOU ARE COMMANDED to appear in the United States district court at the time, date, and place set forth below to testify at a hearing or trial in this civil action. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.				
	States District Court for	the Eastern District of	Courtroom No.:	4F North	
New York 225 Cadman Plaza East, Brod		klvn. NY 11201-1804	Date and Time: (05/04/2023 12:00 pm	
not applicable): The fol Rule 45(d), rela	all communications by to and any agent of IME Control III communications of Flating to your protection subpoena and the potential CLERK OF	ext, email, or otherwise with ompanions LLC, as well as a ed. R. Civ. P. 45 are attached as a person subject to a subject	Defendants Safa A any customers ser d – Rule 45(c), rela poena; and Rule 4:	Attorney's signature	
		en la companya de la	equests this subpo	ena, are:	
	manuel@mllaborlaw.co	anuel Kataev, Esq., 3000 M pm, (516) 303-1395	arous Averlue, Sul	ile JVVO, Lake Success, IVT	

Notice to the person who issues or requests this subpoena

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1 (date)	•							
☐ I served the su	☐ I served the subpoena by delivering a copy to the named person as follows:							
		on (date) ;	or					
☐ I returned the	subpoena unexecuted because:							
		ted States, or one of its officers or agents, I ince, and the mileage allowed by law, in the						
y fees are \$	for travel and \$	for services, for a total of \$	0.00					
I declare under p	penalty of perjury that this information	on is true.						
ite:								
		Server's signature						
		Printed name and title						
		Server's address						
11:4:1:64:	regarding attempted service, etc.:							

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- (B) Form for Producing Electronically Stored Information Not Specified. It a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

	United States District Court				
	for the				
	Eastern District of New York				
To: Jeff Beibin 5826 83rd YOU A	AT A , 8301 60th Avenue, M Place, Apartment 2, M RE COMMANDED	SUBPOENA TO APPEAR HEARING OR TRIAL II liddle Village, NY 11379 or liddle Village, NY 11379 (Name of person to whom this to appear in the United States	AND TESTIFY N A CIVIL ACTI s subpoena is directed, s district court at th	e time, date, and place set forth below	
to testify at a he		vil action. When you arrive,	, you must remain	at the court until the judge or a court	
		the Eastern District of	Courtroom No.:	4E North	
Place: United S New Yo		the Eastern Biother of			
225 Cad	man Plaza East, Broo	klyn, NY 11201-1804	Date and Time.	05/04/2023 12:00 pm	
not applicable):		the following documents, elext, email, or otherwise with		d information, or objects (leave blank if omers.	
Rule 45(d), rela	ating to your protection subpoena and the pote	ed. R. Civ. P. 45 are attache as a person subject to a sub ntial consequences of not do	poena; and Rule 4	lating to the place of compliance; 5(e) and (g), relating to your duty to	
	CLERK OF	COURT	OR		
			OK /		
	Signa	ature of Clerk or Deputy Clerk		Attorney's signature	
The name, add	ress, e-mail address, an	d telephone number of the a	ttorney representing		
	Law Group PLLC, Emmanuel@mllaborlaw.co	nanuel Kataev, Esq., 3000 M			

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpocna to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I receiv	ed this subpoena for (name of individ	hual and title, if any)	
on (date)			
□I serv	ed the subpoena by delivering a co	opy to the named person as follows:	
		on (date)	; or
□ I retu	rned the subpoena unexecuted bec	rause:	
		of the United States, or one of its office by's attendance, and the mileage allowed	
My fees are \$	for travel and	\$ for services, for a	a total of \$ 0.00
I declar	e under penalty of perjury that this	s information is true.	
Date:		Server's signate	ure
		Printed name and	d title
		Server's addre	258

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.
- (2) For Other Discovery. A subpoena may command:
- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - **(B)** inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.
- (3) Quashing or Modifying a Subpoena.
- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

	Uni	TED STATES DIS	TRICT COURT		
	for the				
		Eastern District of New York			
Saf	IME WatchDog, Inc. Plaintiff v. a Abdulrahim Gelardi,		Civil Action No. 1:22-cv-1032 (PKC) (JRC	D)	
	Defendant)			
_{To} ∙ Hesham ":	AT A	SUBPOENA TO APPEAR A HEARING OR TRIAL IN Boiling Springs Avenue, Apa			
	•				
		(Name of person to whom this	10 (1990) • • • • • • • • • • • • • • • • • • •		
	earing or trial in this ci		s district court at the time, date, and place set it, you must remain at the court until the judge		
		the Eastern District of	Courtroom No.: 4F North		
New Yo 225 Ca	ork dman Plaza East, Broo	klyn, NY 11201-1804	Date and Time: 05/04/2023 12:00 pm		
not applicable):	all communications by t	ext, email, or otherwise with	lectronically stored information, or objects (a Defendants Safa Abdulrahman Gelardi, Vito any customers served by Defendants.		
Rule 45(d), relatives	ating to your protection	Yed. R. Civ. P. 45 are attache as a person subject to a sub- ntial consequences of not do	d – Rule 45(c), relating to the place of compoena; and Rule 45(e) and (g), relating to yoing so.	oliance; our duty to	
Date:04/26	CLERK OF	COURT	OR ALL		
	Signa	ature of Clerk or Deputy Clerk	Attorney's signature		
		, who issues or r	equests this subpoena, are:	chDog, Inc.	
	a Law Group PLLC, Em manuel@mllaborlaw.co		larcus Avenue, Suite 3W8, Lake Success, N	Υ	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpocna to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

	I received this subpo	ena for (name of individual ar	nd title, if any)				
on (date	e)						
	☐ I served the subpoena by delivering a copy to the named person as follows:						
			on (date)	; or			
	☐ I returned the subp	ooena unexecuted because:					
			te United States, or one of its officers or ttendance, and the mileage allowed by la				
My fee	es are \$	for travel and \$	for services, for a total	l of \$			
	I declare under pena	lty of perjury that this info	rmation is true.				
Date:							
Dute.			Server's signature				
		-	Printed name and title				
			Server's address				

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
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(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
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- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
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- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
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(g) Contempt.

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For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

AO 88 (Rev. 02/14) Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action

United States District Court					
	for the				
		Eastern District of New York			
	AT A	*	AND TESTIFY N A CIVIL ACTI 352 154th Street, J	Jamaica, NY 11434	
	earing or trial in this ci-	to appear in the United States	district court at the	e time, date, and place set forth below at the court until the judge or a court	
New Yo	States District Court for ork dman Plaza East, Broo		Courtroom No.: Date and Time:	4F North 05/04/2023 12:00 pm	
You m not applicable):	ust also bring with you	the following documents, el	Defendants Safa	I information, or objects (leave hlank if Abdulrahman Gelardi, Vito Gelardi, ved by Defendants.	
Rule 45(d), related respond to this	ating to your protection subpoena and the potential (S/2023 CLERK OF	as a person subject to a subnitial consequences of not do	poena; and Rule 4:	ating to the place of compliance; 5(e) and (g), relating to your duty to	
	Signo	tture of Clerk or Deputy Clerk		Attorney's signature	
			equests this subpo	ena, are:	
	a Law Group PLLC, Em manuel@mllaborlaw.co	nanuel Kataev, Esq., 3000 M om, (516) 303-1395	arcus Avenue, Sui	ite 3VV8, Lake Success, NY	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88 (Rev. 02/14) Subpocna to Appear and Testify at a Hearing or Trial in a Civil Action (page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

on (date	,	poena for (name of individual and title,	if any)	
on (aate	☐ I served the subpoena by delivering a copy to the named person as follows:			
			on (date)	; or
	I returned the su	bpoena unexecuted because:		
			ted States, or one of its officers or ager nce, and the mileage allowed by law, i	
My fee	es are \$	for travel and \$	for services, for a total of \$	0.00
	I declare under pe	nalty of perjury that this information	on is true.	
Date:			Server's signature	
			Server's signature	
			Printed name and title	
			Server's address	
Additio	onal information re	garding attempted service, etc.:		

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

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(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

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- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

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- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

United States District Court

for the

Eastern District of New York

11	ИЕ WatchDog, Inc.)
	Plaintiff V.) Civil Action No. 1:22-cv-1032 (PKC) (JRC)
Safa A	Safa Abdulrahim Gelardi, et al.))
	Defendant)
		UMENTS, INFORMATION, OR OBJECTS N OF PREMISES IN A CIVIL ACTION
To: Euge	ene Liddie, 329 Brookville Avenue, Isl	lip, NY 11751 or 11852 154th Street, Jamaica, NY 11434
	(Name of person	n to whom this subpoena is directed)
documents, electromaterial: See Adde	onically stored information, or objects	roduce at the time, date, and place set forth below the following s, and to permit inspection, copying, testing, or sampling of the
	ubuda Law Group PLLC cus Avenue, Suite 3W8, Lake Succes	Date and Time: 04/25/2024 5:00 pm
other property pos	sessed or controlled by you at the tim	NDED to permit entry onto the designated premises, land, or ne, date, and location set forth below, so that the requesting party ple the property or any designated object or operation on it.
Place:		Date and Time:
Rule 45(d), relatin		are attached – Rule 45(c), relating to the place of compliance; ect to a subpoena; and Rule 45(e) and (g), relating to your duty to es of not doing so.
Date: 04/08/2	024	
	CLERK OF COURT	OR
	Signature of Clerk or Depu	ty Clerk Attorney's signature
The name, address	s, e-mail address, and telephone numb	ber of the attorney representing (name of party) IME WatchDog, Inc. , who issues or requests this subpoena, are:
Jamie Felsen, Es	q., 3000 Marcus Ave., Ste. 3W8, Lake	e Success, NY 11042; jamie@mllaborlaw.com; (516) 303-1391

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this su	bpoena for (name of individual and title, if an	<i>1y)</i>	
☐ I served the su	abpoena by delivering a copy to the nar	ned person as follows:	
		on (date) ;	or
☐ I returned the	subpoena unexecuted because:		
		States, or one of its officers or agents, Ite, and the mileage allowed by law, in the	
\$	·		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this information i	s true.	
te:			
		Server's signature	
		Printed name and title	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must.
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Jeff Beiben, Safa Gelardi, and/or Vito Gelardi on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 2. A list identifying the names of each IME business owned or operated by you or that has employed you since March 10, 2023.
- 3. A list identifying all customers of all IME businesses owned and/or operated by you since March 10, 2023.
- 4. All documents related to any website that was purchased by Eugene Liddie from IME Companions and/or Safa or Vito Gelardi, including, but not limited to, (i) the contents of the back end (server end) of the website, including customer list and contact information for customers; and (ii) the contents of the pages on the front end (client side) of the website, including home, service, bookings, about us, our clients, contact us, appointments page, booking page, and users.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

IME WatchDog, Inc.	
Plaintiff V. Safa Abdulrahim Gelardi, et al. Defendant)	Civil Action No. 1:22-cv-1032 (PKC) (JRC)
SUBPOENA TO PRODUCE DOCUMENTS OR TO PERMIT INSPECTION OF PRE	
To: Lizbeth Me 961 E 27th St, Paterson	
(Name of person to whom this	s subpoena is directed)
♠ Production: YOU ARE COMMANDED to produce at the documents, electronically stored information, or objects, and to permaterial: See Addendum A	te time, date, and place set forth below the following rmit inspection, copying, testing, or sampling of the
Place: Milman Labuda Law Group PLLC	Date and Time:
3000 Marcus Avenue, Suite 3W8, Lake Success, NY 11042	04/25/2024 5:00 pm
Inspection of Premises: YOU ARE COMMANDED to pother property possessed or controlled by you at the time, date, and may inspect, measure, survey, photograph, test, or sample the property place:	d location set forth below, so that the requesting party
The following provisions of Fed. R. Civ. P. 45 are attache Rule 45(d), relating to your protection as a person subject to a sub respond to this subpoena and the potential consequences of not do Date:04/11/2024	poena; and Rule 45(e) and (g), relating to your duty to
CLERK OF COURT	OR A
Signature of Clerk or Deputy Clerk	Attorney's signature
The name, address, e-mail address, and telephone number of the a	ttorney representing (name of party) IME WatchDog, Inc. , who issues or requests this subpoena, are:
Jamie Felsen, Esq., 3000 Marcus Ave., Ste. 3W8, Lake Success,	NY 11042; jamie@mllaborlaw.com; (516) 303-1391

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

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Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this su	bpoena for (name of individual and title, if a	ny)			
(date)	·				
☐ I served the su	☐ I served the subpoena by delivering a copy to the named person as follows:				
		on (date)	or		
☐ I returned the	subpoena unexecuted because:				
	Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of				
\$	•				
fees are \$	for travel and \$	for services, for a total of \$	0.00		
I declare under p	enalty of perjury that this information i	s true.			
e:		Server's signature			
		Printed name and title			
		Server's address	·		

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

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- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
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- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
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 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

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For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Safa Gelardi, and/or Vito Gelardi, and/or to info@imecompanions on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 2. All communications, including but not limited to, text messages and emails, between you on the one hand, and Eugene Liddie, on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
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AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

	IME WatchDog, Inc.	
	Plaintiff) V.) Safa Abdulrahim Gelardi, et al.) Defendant)	Civil Action No. 1:22-cv-1032 (PKC) (JRC)
	SUBPOENA TO PRODUCE DOCUMENTS	INFORMATION OF ORIECTS
	OR TO PERMIT INSPECTION OF PRE	
To:	Tiffany Uı 50-19 104th Street, Corona, NY 11368 or	
	(Name of person to whom thi	
document	Production: YOU ARE COMMANDED to produce at the ts, electronically stored information, or objects, and to per See Addendum A	ne time, date, and place set forth below the following ermit inspection, copying, testing, or sampling of the
3	Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success, NY 1042	Date and Time: 05/12/2024 at 5:00 PM
other proj	Inspection of Premises: YOU ARE COMMANDED to perty possessed or controlled by you at the time, date, an ect, measure, survey, photograph, test, or sample the project.	d location set forth below, so that the requesting party
Place:		Date and Time:
Rule 45(c	The following provisions of Fed. R. Civ. P. 45 are attached), relating to your protection as a person subject to a subsect this subpoena and the potential consequences of not do	poena; and Rule 45(e) and (g), relating to your duty to
Date:	04/22/2024 CLERK OF COURT	OR /
	Signature of Clerk or Deputy Clerk	Attorney's signature
The name	e, address, e-mail address, and telephone number of the a	ttorney representing (name of party) IME WatchDog, Inc., who issues or requests this subpoena, are:
Jamie Fe	elsen, Esq., 3000 Marcus Ave., Ste. 3W8, Lake Success,	* *

Notice to the person who issues or requests this subpoena

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☐ I served the s	☐ I served the subpoena by delivering a copy to the named person as follows:				
		on (date) ;	or		
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		States, or one of its officers or agents, I e, and the mileage allowed by law, in the			
\$	•				
y fees are \$	for travel and \$	for services, for a total of \$	0.00		
I declare under p	penalty of perjury that this information i	is true.			
te:		Server's signature			
		Server 3 Signature			
		Printed name and title	MARIE A		
		Server's address			

Additional information regarding attempted service, etc.:

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MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Tiffany Uribe 50-19 104th Street, Corona, NY 11368 or 10836 51st Ave, Corona, NY11368

Re: IME WatchDog, Inc. v. Gelardi, et al.

Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Ms. Uribe:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

THIS LETTER SHALL SERVE AS NOTICE THAT YOU ARE REQUIRED TO PRESERVE A COPY OF THE FOLLOWING DOCUMENTS:

- 1. All documents and communications, including but not limited to, text messages, emails, and voicemails, related to services you performed for any entity related to observing independent medical examinations between March 1, 2023 and the present. This includes, but is not limited to, the following:
 - a) All notes taken by you during each medical examination at which you appeared;
 - b) All texts and e-mails between yourself and any person, law firm, attorney, employee or agent of any law firm or attorney, entity and/or representative of any entity, or anyone else related to each medical examination at which you appeared;
 - c) All bills and/or invoices related to each medical examination at which you appeared;
 - d) All documents created by you or on your behalf, including drafts, addendums, and final reports related to each medical examination at which you appeared;

YOUR FAILURE TO PRESERVE THE ABOVE DOCUMENTS MAY LEAD TO SUBSTANTIAL SANCTIONS ISSUED BY A JUDGE FOR YOUR DESTRUCTION OF SAME

Please note that if we suspect you have destroyed evidence, we will request that the judge direct a forensic analysis of your electronic devices, computers, and emails. The judge in this case previously directed a forensic analysis of the defendants' devices. We trust that you will heed this warning and take it seriously to avoid the necessity of court intervention.

Thank you for your attention to this matter and for your anticipated cooperation.

Very Truly Yours,

/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

United States District Court

for the

Eastern District of New York

IME WatchDog, Inc.	
Plaintiff V. Safa Abdulrahim Gelardi, et al.)) Civil Action No. 1:22-cv-1032 (PKC) (JRC))
Defendant)
	MENTS, INFORMATION, OR OBJECTS OF PREMISES IN A CIVIL ACTION
Tai	ra Gonzalez Apt 4F, Brooklyn, NY 11212
(Name of person to	whom this subpoena is directed)
documents, electronically stored information, or objects, a material: See Addendum A	uce at the time, date, and place set forth below the following nd to permit inspection, copying, testing, or sampling of the
Place: Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success, 11042	Date and Time: 05/12/2024 at 5:00 PM
	ED to permit entry onto the designated premises, land, or date, and location set forth below, so that the requesting party the property or any designated object or operation on it. Date and Time:
Rule 45(d), relating to your protection as a person subject respond to this subpoena and the potential consequences o	attached – Rule 45(c), relating to the place of compliance; to a subpoena; and Rule 45(e) and (g), relating to your duty to f not doing so.
Date:04/22/2024 CLERK OF COURT	OR
Signature of Clerk or Deputy C	llerk Morney's signature
The name, address, e-mail address, and telephone number	of the attorney representing (name of party) IME WatchDog, Inc. , who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Safa Gelardi, and/or Vito Gelardi, and/or Jeff Beiben to info@imecompanions, reports@imecompanions.com, sgelardi@imecompanions.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
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- 4. All communications, including but not limited to, text messages and emails, between you on the one hand, and any agent of Client Exam Services, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 5. A list identifying all IMEs you have attended since March 10, 2023, including the identity of the plaintiff's law firm on whose behalf you attended.

MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Sara Gonzalez 2069 Union Street, Apt 4F, Brooklyn, NY 11212

> Re: IME WatchDog, Inc. v. Gelardi, et al. Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Ms. Gonzalez:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

THIS LETTER SHALL SERVE AS NOTICE THAT YOU ARE REQUIRED TO PRESERVE A COPY OF THE FOLLOWING DOCUMENTS:

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 - b) All texts and e-mails between yourself and any person, law firm, attorney, employee or agent of any law firm or attorney, entity and/or representative of any entity, or anyone else related to each medical examination at which you appeared;
 - c) All bills and/or invoices related to each medical examination at which you appeared;
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Thank you for your attention to this matter and for your anticipated cooperation.

Very Truly Yours,

/s/ Jamie S. Felsen, Esq.

Case 1:22-cv-01032-PKC-JRC Document 401-1 Filed 10/09/24 Page 41 of 66 PageID #: 7206

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

date)	•		
☐ I served the su	ubpoena by delivering a copy to the nar	ned person as follows:	
		on (date) ;	or
☐ I returned the	subpoena unexecuted because:		
		States, or one of its officers or agents, I, and the mileage allowed by law, in the	
\$	·		
	for traval and \$	for services, for a total of \$	0.00
ees are \$	Tor traver and \$		
			0.00
	enalty of perjury that this information i		0.00
I declare under p	enalty of perjury that this information i	s true.	
I declare under p	enalty of perjury that this information i		0.00
I declare under p	enalty of perjury that this information i	s true.	
	enalty of perjury that this information i	s true. Server's signature	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- **(B)** within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Eastern Dis	white of New York
IME WatchDog, Inc. Plaintiff V. Safa Abdulrahim Gelardi, et al. Defendant)) Civil Action No. 1:22-cv-1032 (PKC) (JRC)))
CURROENA TO BRODUCE DOCL	UMENTS INFORMATION OF OPIECES
	UMENTS, INFORMATION, OR OBJECTS NOF PREMISES IN A CIVIL ACTION
	ark Cary Purificati
To: 50-19 104th Street, Corona, NY	′ 11368 or 10836 51st Ave, Corona, NY11368
(Name of person	to whom this subpoena is directed)
documents, electronically stored information, or objects, material: See Addendum A	oduce at the time, date, and place set forth below the following, and to permit inspection, copying, testing, or sampling of the
Place: Milman Laborda Lavo Carron DLLC	Date and Time:
Place: Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success 11042	
other property possessed or controlled by you at the time	NDED to permit entry onto the designated premises, land, or e, date, and location set forth below, so that the requesting party ble the property or any designated object or operation on it. Date and Time:
	are attached – Rule 45(c), relating to the place of compliance; ct to a subpoena; and Rule 45(e) and (g), relating to your duty to s of not doing so.
Date: 04/22/2024	
CLERK OF COURT	OR
Signature of Clerk or Deputy	y Clerk Attorney's signature
The name, address, e-mail address, and telephone number	rer of the attorney representing (name of party) IME WatchDog, In who issues or requests this subpoena, are: Success, NY 11042; jamie@mllaborlaw.com; (516) 303-1391

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Safa Gelardi, and/or Vito Gelardi, and/or Jeff Beiben to info@imecompanions, reports@imecompanions.com, sgelardi@imecompanions.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
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MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Mark Cary Purificati 50-19 104th Street, Corona, NY 11368 or 10836 51st Ave, Corona, NY11368

> Re: IME WatchDog, Inc. v. Gelardi, et al. Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Mr. Purificati:

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/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)	opoena for (name of individual and title, if a	ny)	
☐ I served the su	bpoena by delivering a copy to the nar	med person as follows:	
		on (date) ;	or
☐ I returned the s	subpoena unexecuted because:		
tendered to the wi		States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$	<u> </u>		
fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under pe	enalty of perjury that this information i	is true.	
		Constant	
		Server's signature	
		Printed name and title	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

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- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

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(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
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 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
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AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

IME WatchDog, Inc.)
<i>Plaintiff</i> v. Safa Abdulrahim Gelardi, et al.) Civil Action No. 1:22-cv-1032 (PKC) (JRC)
Defendant))
	ENTS, INFORMATION, OR OBJECTS F PREMISES IN A CIVIL ACTION
Γ_{-} .	eth Medina aterson, NJ 07513-1326
(Name of person to w	hom this subpoena is directed)
♣ Production: YOU ARE COMMANDED to product documents, electronically stored information, or objects, and material: See Addendum A	ce at the time, date, and place set forth below the following d to permit inspection, copying, testing, or sampling of the
Place: Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success, N 11042	Date and Time: 05/12/2024 at 5:00 pm
	ED to permit entry onto the designated premises, land, or ate, and location set forth below, so that the requesting party he property or any designated object or operation on it.
Place:	Date and Time:
	attached – Rule 45(c), relating to the place of compliance; o a subpoena; and Rule 45(e) and (g), relating to your duty to not doing so.
Date: 03/22/2024	1
CLERK OF COURT	OR /
Signature of Clerk or Deputy Cle	erk Attorney's signature
The name, address, e-mail address, and telephone number o	of the attorney representing (name of party) IME WatchDog, Inc. , who issues or requests this subpoena, are:
Jamie Felsen, Esq., 3000 Marcus Ave., Ste. 3W8, Lake Su	ccess, NY 11042; jamie@mllaborlaw.com; (516) 303-1391

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

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- 5. A list identifying all IMEs you have attended since March 10, 2023, including the identity of the plaintiff's law firm on whose behalf you attended.

MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Lizbeth Medina 961 E 27th St Paterson, NJ 07513-1326

Re: IME WatchDog, Inc. v. Gelardi, et al.

Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Ms. Medina:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

THIS LETTER SHALL SERVE AS NOTICE THAT YOU ARE REQUIRED TO PRESERVE A COPY OF THE FOLLOWING DOCUMENTS:

- 1. All documents and communications, including but not limited to, text messages, emails, and voicemails, related to services you performed for any entity related to observing independent medical examinations between March 1, 2023 and the present. This includes, but is not limited to, the following:
 - a) All notes taken by you during each medical examination at which you appeared;
 - b) All texts and e-mails between yourself and any person, law firm, attorney, employee or agent of any law firm or attorney, entity and/or representative of any entity, or anyone else related to each medical examination at which you appeared;
 - c) All bills and/or invoices related to each medical examination at which you appeared;
 - d) All documents created by you or on your behalf, including drafts, addendums, and final reports related to each medical examination at which you appeared;

YOUR FAILURE TO PRESERVE THE ABOVE DOCUMENTS MAY LEAD TO SUBSTANTIAL SANCTIONS ISSUED BY A JUDGE FOR YOUR DESTRUCTION OF SAME

Please note that if we suspect you have destroyed evidence, we will request that the judge direct a forensic analysis of your electronic devices, computers, and emails. The judge in this case previously directed a forensic analysis of the defendants' devices. We trust that you will heed this warning and take it seriously to avoid the necessity of court intervention.

Thank you for your attention to this matter and for your anticipated cooperation.

Very Truly Yours,

/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this sub	poena for (name of individual and title, if ar	ıy)	
late)	·		
☐ I served the sub	opoena by delivering a copy to the nar	med person as follows:	W
		on (date) ;	or
☐ I returned the s	ubpoena unexecuted because:		
tendered to the wit	tness the fees for one day's attendance	States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$	·		
ees are \$	for travel and \$	for services, for a total of \$	0.00
	nalty of perjury that this information i	s true.	
		Server's signature	J.,
		Printed name and title	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- **(B)** inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party.
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) *Documents*. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- **(D)** Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

United States District Court

for the

Eastern District of New York

IME WatchDog, Inc.)
Plaintiff) Civil Action No. 1:22-cv-1032 (PKC) (JRC)
v. Safa Abdulrahim Gelardi, et al.) Civil Action No. 1:22-cv-1032 (PKC) (JRC)
))
	ENTS, INFORMATION, OR OBJECTS
	F PREMISES IN A CIVIL ACTION
	tian Hogarth F3, Brooklyn, NY 11209
(Name of person to w	hom this subpoena is directed)
documents, electronically stored information, or objects, an material: See Addendum A	ce at the time, date, and place set forth below the following d to permit inspection, copying, testing, or sampling of the
Place: Milman Labuda Law Group PLLC	Date and Time:
3000 Marcus Avenue, Suite 3W8, Lake Success, N 11042	
	ED to permit entry onto the designated premises, land, or ate, and location set forth below, so that the requesting party he property or any designated object or operation on it.
Place:	Date and Time:
	attached – Rule 45(c), relating to the place of compliance; o a subpoena; and Rule 45(e) and (g), relating to your duty to not doing so.
Date: 04/22/2024	
CLERK OF COURT	OR /
Signature of Clerk or Deputy Cle	erk Attorney's signature
The name, address, e-mail address, and telephone number of	of the attorney representing (name of party) IME WatchDog, In , who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

ADDENDUM A

- 1. All communications, including but not limited to, text messages and emails, between you on the one hand, and Safa Gelardi, and/or Vito Gelardi, and/or Jeff Beiben to info@imecompanions, reports@imecompanions.com, sgelardi@imecompanions.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 2. All communications, including but not limited to, text messages and emails, between you on the one hand, and Eugene Liddie, and/or Jeff Beiben to info@imelegalreps.com, reports@imelegalreps.com on the other hand, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 3. All communications, including but not limited to, text messages and emails, between you on the one hand, and any agent of IME Legal Reps, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 4. All communications, including but not limited to, text messages and emails, between you on the one hand, and any agent of Client Exam Services, concerning anything related to IMEs and the operation of any IME business between March 10, 2023 and the present.
- 5. A list identifying all IMEs you have attended since March 10, 2023, including the identity of the plaintiff's law firm on whose behalf you attended.

MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Christian Hogarth 7901 4th Ave Apt F3, Brooklyn, NY 11209

Re: IME WatchDog, Inc. v. Gelardi, et al.

Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Mr. Hogarth:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

THIS LETTER SHALL SERVE AS NOTICE THAT YOU ARE REQUIRED TO PRESERVE A COPY OF THE FOLLOWING DOCUMENTS:

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YOUR FAILURE TO PRESERVE THE ABOVE DOCUMENTS MAY LEAD TO SUBSTANTIAL SANCTIONS ISSUED BY A JUDGE FOR YOUR DESTRUCTION OF SAME

Please note that if we suspect you have destroyed evidence, we will request that the judge direct a forensic analysis of your electronic devices, computers, and emails. The judge in this case previously directed a forensic analysis of the defendants' devices. We trust that you will heed this warning and take it seriously to avoid the necessity of court intervention.

Thank you for your attention to this matter and for your anticipated cooperation.

Very Truly Yours,

/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

(date)			
☐ I served the si	ubpoena by delivering a copy to the nan	ned person as follows:	
		on (date)	or
☐ I returned the	subpoena unexecuted because:		
tendered to the w	itness the fees for one day's attendance	States, or one of its officers or agents, I and the mileage allowed by law, in the	
\$	·		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under p	enalty of perjury that this information is	s true.	
te:		C , ,	
te:		Server's signature	
ate:		Server's signature Printed name and title	
ate:		<u> </u>	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

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- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
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- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

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AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

IME WatchDog, Inc.)
Plaintiff V.) Civil Action No. 1:22-cv-1032 (PKC) (JRC)
Safa Abdulrahim Gelardi, et al.) () () () () () () () () () (
Defendant)
SUBPOENA TO PRODUCE DOCUMI OR TO PERMIT INSPECTION OF	ENTS, INFORMATION, OR OBJECTS F PREMISES IN A CIVIL ACTION
T	of Abdelatif Yonne, NJ 07002 or
9 E 16th St. APT 1. Bayonne, NJ (Name of person to wh	07002 or 9 W 16th St # 1, Bavonne, NJ hom this subpoena is directed)
♣ Production: YOU ARE COMMANDED to product documents, electronically stored information, or objects, and material: See Addendum A	the at the time, date, and place set forth below the following d to permit inspection, copying, testing, or sampling of the
Discourse	Data and Times
Place: Milman Labuda Law Group PLLC 3000 Marcus Avenue, Suite 3W8, Lake Success, N 11042	Date and Time: 9 05/12/2024 at 5:00 PM
☐ Inspection of Premises: YOU ARE COMMANDE other property possessed or controlled by you at the time, da may inspect, measure, survey, photograph, test, or sample the	
Place:	Date and Time:
	attached – Rule 45(c), relating to the place of compliance; a subpoena; and Rule 45(e) and (g), relating to your duty to not doing so.
Date: 04/22/2024	
-	$\int \int d$
CLERK OF COURT	OR ///
Signature of Clerk or Deputy Cle	Attorney's signature
The name, address, e-mail address, and telephone number of	f the attorney representing (name of party) IME WatchDog, Inc. , who issues or requests this subpoena, are:
Jamie Felsen, Esq., 3000 Marcus Ave., Ste. 3W8, Lake Suc	

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

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MILMAN LABUDA LAW GROUP PLLC

3000 MARCUS AVENUE SUITE 3W8 LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899 FACSIMILE (516) 328-0082

April 22, 2024

Assaf Abdelatif 23 9th St, Bayonne, NJ 07002 or 9 E 16th St, APT 1, Bayonne, NJ 07002 or 9 W 16th St # 1, Bayonne, NJ

> Re: IME WatchDog, Inc. v. Gelardi, et al. Case No.: 1:22-cv-1032 (PKC) (JRC)

Dear Mr. Abdelatif:

This office represents IME Watchdog, Inc., the plaintiff in the above-referenced matter.

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/s/ Jamie S. Felsen, Esq.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 1:22-cv-1032 (PKC) (JRC)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

late)	··		
☐ I served the sub	opoena by delivering a copy to the nam	ned person as follows:	
		on (date) ;	or
	ubpoena unexecuted because:		
tendered to the wi		States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
ees are \$		for services, for a total of \$	0.00
I declare under pe	nalty of perjury that this information i	s true.	
		Server's signature	
;		Server's signature Printed name and title	
		-	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

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- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
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(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

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- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- **(B)** When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) **Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- **(B)** Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- **(D)** Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.